

1608/337.
The PRELIMINARIES *productive*
of a Premunire :

O R,
OLD ENGLAND
Caught in a
T R A P.

Plainly shewing, by Observations on every particular Article of the Preliminary Treaty of Convention, how far it is conducive to the Welfare and Advantage of *Great Britain*, or subservient to the Interest of other Powers.

With some particular Remarks on the 10th and 20th Articles, concerning the *Affiento* Treaty, and the Loan on *Silesia*, worthy to be considered in the present Juncture by all Merchants, or others, that have any Interest in Commerce, or Share in the publick Funds.

Latet Anguis in Herbam.

—Tired of the sad and cruel Work,
They sit them down just where they were before,
Till for new Scenes of Woe Peace shall their Force
restore.

Thomson's Castle of Indolence.

L O N D O N :
Printed for H. CARPENTER, in *Fleet-street*.



THE PRELIMINARIES

Productive of a PREMUNIRE.

IT was expected that our excellent ministry would, long before this, have condescended to gratify the ardent Expectation of the People, by publickly exhibiting the Articles of the Preliminary Convention that has lately been ratified ; or at least, by submitting such Part thereof to their Examination, as might be safely exposed ; even although they should have reserved to themselves those secret Articles, (the Number of which is said to be not small) that they might judge either dangerous, or improper, to be communicated to the Publick.

The making of War or Peace is undoubtedly a Prerogative of the Crown : Nevertheless, the People have a Right to be made acquainted with such Measures, as have been entered upon, either for their Advantage, Security, or Defence : A Right founded on Reason, and fully established by the Practice of Ages, even under the most despotic and arbitrary of our Princes : As we find by our History, that in the earliest Times, even in the Dawn of Liberty, the Substance of such Treaties as were concluded by our Sovereigns, if not the particular Articles, were always communicated to the People ; and with the greatest Reason and Justice, as it is their Swords, their Purfes, and their Counfels, which must maintain the Honour and Dignity of the Crown, and support the King in all Engagements that he shall judge necessary or expedient to enter into, for the Welfare and Security of his Subjects.

Though the People of *England* have this Right, of being apprized of all such Measures as shall be undertaken

taken for the publick Good, and of examining into the Motives and Ends thereof; yet such is the Happiness of our Constitution, that a King of *Great Britain* cannot in any wise be charged with Misconduct, or ever be accused with any Action contrary to the true Interest of his People: He is always judged to act in Conformity with the Advice of his Ministry; so that if the People, upon Inquiry, should find any Action or Measure deserving of Punishment or Censure, those only are to be censured or punished, by whose Advice such Measures were formed, or such Actions undertaken; whereby the free Discussion of every publick Affair is left open to the People, without any Danger of disturbing that Harmony and Affection, which ought ever to subsist between a King of *Great Britain* and his Subjects; who are left at liberty to arraign and censure the M——y, without violating the Honour of their Monarch.

When the People have such an evident Right of being made acquainted with all publick Transactions, and it can scarcely be attended with any other Inconvenience, than what may redound on the M——ry, by having their Conduct examined into, and weighed in a Ballance with the Safety, Interest, and Welfare of the Nation; it must surely seem surprisngly odd, and not at all in their Favour, to find them endeavouring to secrete any Treaty, Convention, or other Engagement, which they have contracted with foreign Powers, from the Inspection of the Publick: As it must create a violent Suspicion, in every disinterested and unprejudiced Person, that either a Consciousness of Guilt or Folly, a Self-Conviction of Male-practice or Oversight, must be the only Motives to induce them to such a Proceeding.



Were the Articles of the present Preliminary Convention so very safe, expedient, and advantageous as some of our ministerial Dependants would have us to believe, where could be the Danger of exhibiting them to the Publick? Or what could be the Reason or Motives of their Detention? If this Preliminary Treaty was so well adapted to the Circumstances of Affairs, as to afford us any Prospect of obtaining Indemnification for our Losses, Security for our Religion, Liberties, and Commerce, Advantage to the House of *Austria*, or a lasting Tranquility to *Europe*, would it not redound everlasting Honour

nours and Praises on its Authors, and should we not have the greatest Reason to use the Scripture Expression? By our saying, *Blessed are our Peace-Makers; for they shall be stiled the Children of God.*

Though we had some Reason to hope, considering the great and extraordinary Expences that we have been at, and which have been so chearfully complied with on the most frivolous Occasions, that our M—rs would at least have obliged us with a Sight of the Preliminary Treaty, yet we did not expect them to be altogether so generous as to shake out the Green Bag, and entertain us with what secret Articles are concealed in its Bottom: That perhaps might be unprecedented, either by them or their Predecessors, for many Years past. However, we flattered ourselves with the Hopes of being allowed to peruse the Title and Form, though we were not permitted to pry into the Substance of the Treaty. But, though the Occasion of it be unknown, we have the Misfortune, as hitherto, to find our Expectations frustrated, and that both the open and secret Articles of this Preliminary Treaty, on which our future Liberty and Peace in such a great measure depends, are reserved by the Ministry as *Arcana's* of State, too precious and impenetrable for the Eyes of the Vulgar.

It has indeed been urged in Defence of the secreting these Preliminary Articles, that the Ratifications thereof, by the respective Powers, could not possibly be exchanged before the breaking up of Parliament; since which there is no Occasion for their Publication by Authority, as it would be communicating an Affair to the Publick, of which they were not competent Judges, and might perhaps afford an Opportunity to the Enemies of the present Administration to excite such Animosities and Jealousy, by their partial and invidious Constructions, as might prove a considerable Obstacle to the great Work in hand.

This at first sight appears to be a very specious Excuse: But may it not be replied, that it would have given greater Satisfaction to the Nation, had the Parliament been suffered to sit a Fortnight or three Weeks longer; in which time, as the Ratifications of the first contracting Parties were exchanged, the Preliminaries might and ought to have been laid before both Houses; that his Majesty

Majesty might have received the Sense of his People, and the Advice of the Hereditary Great Council of the Crown upon these Articles, before he entered into any farther Negotiations on their Foundation. The Season of the Year was not so far advanced, but it would have admitted of a few Weeks longer being spent on an Affair of so great Importance; neither were the Country Gentlemen in so much haste to retire to their respective Seats, as what a *certain Person* might be in, to get out of the Kingdom.

And though the Parliament was prorogued before the Exchange of the Ratifications, yet their not being published, for fear of exciting Animosities and Jealousy by a Misconstruction, or any ways impeding the bringing about of a general Peace, appears a very poor Excuse for depriving the Nation of that Light into publick Transactions, which they have the greatest Right to expect should be communicated to them. For, whether these Preliminary Articles be divulged sooner or later, it is to be hoped, that they will stand or fall by their own Merit, and not be supported either by corrupt Interest or Court Favour.

Considering the great and increasing Advantages of our Marine over the Enemy, and the Benefits that have lately accrued to us thereby; together with the immense Expences that we have been at for some Years past, we might have expected such Articles at least, for paving the Way to a general Peace, as should have been unexceptionable even to the most rancorous Malecontent, or obdurate and inveterate Patriot; but by the strict Retention of these so secret, we have the greatest Reason to doubt of their being entirely satisfactory, even to the warmest Friends, and sanguine Well-wishers to the present most excellent, inimitable, and praise-worthy Administration.

There is no Man will be so hardy to affirm, however sanguine he may be in behalf of the present M——ry, that there have not been many Neglects, Oversights and Miscarriages, during the War; and it has evidently appeared, that the chief Causes of all our Misconduct, throughout, has been either Cowardice in our Military, or Treachery and Corruption in our Civil Establishment. Wherefore, as many of those who are concerned in the
settling

settling of Peace have all along been entrusted with the Management of the War, have we not the strongest Reasons to be apprehensive of their making such a Treaty, as may prove more detrimental to this Nation, than the most expensive and ill-managed foreign War? And are not our Apprehensions on this Occasion excited the more, by their secreting even the first Articles, the very Foundation on which the mighty Fabrick is to be raised, from the Knowledge of those who have been at such immense Expences, and are so deeply interested in the whole Building?

But though, notwithstanding our perpetual and vain-glorious Boast of inherent Liberty, Property, Rights, and Privileges, the People of *Great Britain* are to be kept so much in Ignorance by the M——y, as not to be made acquainted with those Affairs that concern them the nearest, and whereon their Interest, Liberties, and Welfare, so intimately depend; yet we find that the Slaves of Tyranny and Despoticism, the miserable Subjects of arbitrary Sway, are so far gratified by their Masters, on this important Occasion, as to be indulged with a Happiness, denied to *Britons*, of being apprized of the Contents of those Articles on which their future Safety, Peace, and Tranquility is to depend.

It is not then to our eminent Legislators, disinterested Guardians, or affected Patriots, our candid and sincere M——rs, or indefatigable and able Negotiators, that we are indebted for the Honour of the least Information on this interesting Topick; but it is to the News-Writers of foreign Provinces, that we stand obliged for their Intelligence on a Subject, in which every *Englishman* is nearly concerned, and ought to have been apprized of, long before it could descend to the Knowledge of such abject Vassals, if either our unintelligible pensioned *Gazettee* Scribler, or his Masters, had done their Duty.

However, as it is, we must be content to gather the Substance of the twenty-four Articles of the Preliminary Treaty from the foreign Gazettes; and may rely the more firmly on the Veracity thereof, as we cannot imagine those Writers any ways prejudiced in favour of our present excellent Ad——n; or so corrupt and biassed, as to endeavour to screen the blundering Measures, and
ineffectual

ineffectual Engagements, of our Ministers, from the Lynx-eyed People of *Great Britain*.

Our Intelligencers indeed seem to lie under the same Restraint, with relation to the secret Articles of this Treaty, as what our own Gazette Writer, or those above him, do with regard to the Whole: But as they have afforded us some Light into twenty-four of the principal ones, I shall consider the Substance of each separately, in the same Words as we find them transmitted to us in the Letter from *Aix la Chappelle* of the 13th of May, N. S. in the *Hague Gazette*, which has been translated and inserted in most of our publick Papers, particularly in the *London Evening Post* of *Thursday* the 12th of May last.

But, before I enter upon the Examination of these Preliminaries, I must make a candid Confession to my Reader, of being under a Disadvantage with regard to those peculiar Lights, wherewith some, in more exalted Stations, are favoured; and by which those very Articles, that to me may appear either the blackest or most intricate of the whole Treaty, shall when view'd by them thro' the Medium of Affluence, Interest, Corruption or Court Favour, be seen in such a Point of Radiancy, as to appear white as Snow, splendid as Silver, and clear as Innocence. Wherefore, I say, if this Want of Illumination should cause any Misconception in my Ideas, or Error in my Inferences, I hope some of those who, by their Posts, enjoy the Opportunity of better Information, will step forth, and clear up the Affair more to the Satisfaction of the Publick.

The Constitution of my Country, the interest of this Nation, and the Adjustment of the Balance of Power in *Europe*, are the only things to which I shall pretend to have arrived at a true Knowledge, and by which I shall endeavour to assay the present Treaty. If any of our dextrous *Connoisseurs* in Politicks can find a better Touchstone for the Purpose, let them apply it; which I hope they will not hesitate at, when they find the Ice ready broke to their Hands.

Our

Our Friends, the foreign News-Writers, give us the Substance of the Preliminary Articles in these Words :

Article I. *All former Treaties shall be established as the Foundation of these Preliminaries, and shall be renew'd, except in such Points as may have been altered by subsequent Treaties, or in which they shall be altered by any of these Articles.*

This Article seems either big with Inconsistencies, or expressive of nothing. *If all former Treaties are to be renew'd and established, as the Foundation of these Preliminaries*, is it not apparent, that the pernicious Treaty of *Utrecht*, the detestable Treaty of *Hanover*, and the injurious Treaty of *Seville*, are to be the Basis of the future Peace, by which our Rights and Liberties, and the Security of our Trade, are to be more firmly established. But let us examine a little the Strength of these Foundation-Stones: Has not the Treaty of *Utrecht* been often and justly censured, for leaving *France* too formidable, and the Emperor too weak? Did not the Treaty of *Hanover* lead us into a Maze of intricate, delusive, and dangerous Treaties, that followed afterwards, and were many of them contradictory to one another? Was it not this very Treaty of *Hanover* that had like to have overturned the Balance of Power in *Europe*, and was near completing the Destruction of the House of *Austria*? By this detestable Treaty we were made the Dupes of *France*, and suffered ourselves to be divided from the Emperor and *Spain*, with both of whom it was our real Interest to be in Alliance; with the former, on account of becoming a sufficient Weight against the increasing Power of the House of *Bourbon*; and with the latter, in regard to the Promotion of our Trade. Did it not put us to immense Charge and Expences, by Votes of Credit, Subsidies to *Sweden* and *Denmark*, Increase of our Land-Forces at home, taking of *Hessian* and *Wolfenbuttle* Troops into our Pay, and sending of large Squadrons to the Coasts of *Spain* and the *Baltick*? And as for the never to be forgotten Treaty of *Seville*, did it not help to depress the House of *Austria*, by the Introduction of *Spanish* Garrisons into *Tuscany*, and *Don Carlos* into *Italy*? whereby we cut out great Part of the Work for our ourselves, before the present War broke out, and set an Example to other Powers how to pluck the Feathers

thers of the *Imperial Eagle*, even before the Death of the late Emperor; wherein some of them have succeeded so well since, as to have their stolen Plumes effectually secured to them by this Preliminary Treaty. If such be the Corner-Stones of this magnificent and expensive Fabrick, may we not soon expect the whole *Superstructure* to fall to the Ground! And is not this very first Article replete with Inconsistency, by *renewing all former Treaties?* whereby is included, not only these three famous and absurd Treaties, but also the Quadruple Alliance in the Year 1717; the first *Vienna* Treaty, the Convention of the *Pardo*, the Provisional Treaty, the second *Vienna* Treaty, the ever-memorable Convention with *Spain*, the Treaty of *Worms*, and several other definitive, offensive and defensive Engagements, with the Powers on the Continent, most of them contradictory to each other, and many to themselves, by the secret Articles wherewith they are clogged?

And what can be comprehended by the Exception, so artfully inserted in this Article, by which is precluded *all such Points as may have been altered by subsequent Treaties, or which shall be altered by any of these Articles?* Does not the whole Nation hope, nay, do they not fully expect, that every thing, in any former Treaty, which tended in any wise to the Prejudice of their Interest, Liberties or Commerce, shall be annulled in this Congress? else to what Purpose have they been wasting such a large Quantity of Blood, and so many Millions of Treasure, or why spend we time in negotiating at all, unless to obtain these National Securities?

Though this first Article, on which the whole Preliminary Treaty appears to be constructed, seems very big with Words and Inconsistencies; yet, upon a little farther Examination, I greatly fear that we shall find it, as I observed before, productive of little or nothing. The Quadruple Alliance was entered into, to amend the Errors of the Treaty of *Utrecht*, and the first Treaty of *Vienna* was made to destroy both: the Treaty of *Hanover* was entered upon to counterbalance the *Vienna* Treaty, and the Treaty of *Seville*, *Worms*, &c. to rectify the Errors and Omissions that had happened in all the foregoing Treaties; so that the renewing of all these former Compacts, and at the same time excepting those
Articles

Articles that have or shall be altered, is reviving all the Blunders of former Administrations, in order to their being amended, or made worse, and revivifying those fatal Measures that brought on this unsuccessful War, as a means to patch up a poor and despicable Peace. And indeed, so much is to be done and undone, built up and pulled down, by the Tenour of this Article; and it must produce such a Heap of Affirmations, Negations, and Exceptions, as must effectually destroy all Meaning thereof, if it ever was intended that it should have any. In a word, this Article, to me, seems very much to resemble that Pier of *Westminster-Bridge*, which was erected on a Quicksand: for the Foundation thereof, on which the whole Preliminary Bridge depends, has for these many Years past been in such a fluctuating and instable Condition, as must necessarily occasion it to give way on the least Pressure; whereby all this wonderful Piece of Workmanship will be entirely disjointed; which, whenever it happens, will be no small Loss and Expence to *Great Britain*, who has been at such Labour and Charge in erecting the Fabrick, though perhaps much to the Satisfaction and Emolument of some other Powers.

Art. II. *All Conquests that have been made from the Beginning of the present War, as well in Europe as in the East and West-Indies, shall be restored.*

Though it is either owing to ill Fortune, Neglect, Treachery, or Corruption, that we have no Conquests in *Europe* to refund on this Occasion; yet, certainly, those Acquisitions that we have made in *America*, and what we hope by this time, through our powerful Squadrons, to have gained in the *East-Indies*, are more than a sufficient Equivalent for the *French* Conquests in the *Netherlands*, the restoring of which will not be a Penny Advantage to *Great-Britain* separately considered from her Allies; and *France* will avail herself more by our restoring *Cape Breton*, than if she was to be left in Possession of all the Territories that she has acquired on the Continent. That we should sacrifice the Isle of *Ratan*, *Cape Breton*, and *Fort Louis*, Possessions that are useful and advantageous for ourselves, and of which the Enemy could scarcely ever deprive us, for the Restoration of a Barrier, and some other Towns, that our
Allies

Allies thought scarce worth the garrisoning or defending, and may perhaps be as ready to part with in the next War, as they were to deliver them up in this, seems such a *Finesse* in Politicks, as to be past my Comprehension, and I believe beyond any of my Countrymen's, that are unbiaſſed by Favour, or Preferments, and diſengaged from any Intereſt, but that of their Mother Country.

I do not in the leaſt diſpute the Neceſſity of the Empreſs-Queen having all her Dominions in the *Netherlands* reſtored to her, nor of the *Dutch* being again put into Poſſeſſion of *Bergen op-zoom* and their Barrier Towns: However, I cannot help thinking, that Part of our *American* Conqueſts would be a ſufficient Exchange for the former; and as for the latter, the *Hollanders* having contributed ſo very little towards the War, in compariſon of *Great-Britain*, and have had ſuch a fine Opportunity of extending their Commerce, and acquiring of Riches, whiſt we have been contending with *Spain* and *France*; it is but juſt and reaſonable, that if they can furniſh no Equivalent in Territory, for the Reſtitution of their Dominions and Barrier, they ought to make up the Deficiency in Money, rather than that *Great-Britain*, who has been all along a Sufferer, ſhould be put to the whole Expence upon this Occaſion, by giving up ſuch Places in the *West-Indies*, as might be of the greateſt Benefit to her Commerce. But, perhaps, it may be as much the Intereſt of the *Dutch* to prejudice us in our Trade, as it is of *France* to depreſs us in our Influence.

Art. III. *Dunkirk ſhall remain fortified in the ſame manner as at preſent toward the Land Side, but towards the Sea ſhall be reduced to the Condition ſtipulated by Treaties.*

Though the *French* were ſtrongly tied down by the Treaty of *Utrecht* to the Demolition of *Dunkirk* on the Sea-Side, and filling up the Harbour thereof; yet they found Means to elude that Treaty, as perhaps they may hereafter do this Article, by making a Port at *Mardyke*: nay, they went ſo far as openly to violate it, by making *Dunkirk* a Port, as plainly appeared by the Bills of Entry at the *Custom-Houſe*; and this was patiently

ently suffered by us, without any Remonstrance, at a time when some of those that are now at the Helm, were Participators both of the Power and Iniquity of the then corrupt Ad——n.

Wherefore, as the *French* have shewn so very little Complaisance to former Treaties, on this very Article, is it not reasonable that our Plenipotentiaries should have bethought themselves of some Means of tying them down tighter in this Treaty, by insisting to be put in possession of some provisional Security, till such times as the Works toward the Sea side shall be demolished, and the Harbour filled up; and also by strong Stipulations against their opening *Mardyke*, or any other adjacent Port? Unless this be done, we shall find this Article as ineffectual and as little regarded, as its correspondent one in the old Treaty of *Utrecht*.

Art. IV. *The Dutches of Parma, Placentia, and Guastalla, shall be left to the Royal Infant Don Philip; but the Reversion shall be reserved to the present Possessor, in case either the King of the Two Sicilies shall succeed to the Crown of Spain, or the Infant Don Philip shall die without leaving Posterity.*

Whenever the Infant *Don Philip* dies, whether sooner or later, I am apt to imagine he will leave Posterity behind, though it's very probable he leave no Issue. Perhaps the Close of this Article, as thus worded, may be a Blunder of the Translators; but if it be thus expressed in the original Treaty, the Adequateness and Energy of the Term *Posterity*, on this Occasion, must needs evince the extreme Delicacy of those that drew it up, and shew how excellently well they were versed in the Language wherein it is penned. But, to leave criticising on Words: In order to a perfect Understanding of what Concessions we are about to oblige *France* with, at this Juncture, it will be necessary to look back a little, and inquire who these Territories, mentioned in this Article, belong to, and how they came into Possession of them? By our entring into the famous Treaty of *Seville*, of which we have before taken some notice, the Emperor *Charles VI.* was in a manner compelled to conclude a Treaty with the King of *France* in *October 1735*; wherein it was stipulated, that his Imperial Majesty should

should give up the Kingdoms of *Naples* and *Sicily* to the Second Son of the King of *Spain*; in lieu of which should be entailed upon him the Succession to the Duchies of *Tuscany*, *Parma* and *Placentia*, on the Demise of then Great Duke, in whom the Family of the *Medicis* would be extinct. But by another Treaty, concluded between the Emperor and the *French* in the Year following, the Reversion of these Dominions were given to the Duke of *Lorrain*, (his present Imperial Majesty) in Exchange for which he ceded the Duchy of *Lorrain* to the *French*, and entered into Possession of these Territories on the Death of the Grand Duke, *January 8, 1737*.

The Court of *Spain* has long had an Eye to the Acquisition, for some of her younger Branches, of the Dominions that are by these Preliminary Articles settled for an Establishment for *Don Philip*; insomuch that the Succession thereto was by the Quadruple Alliance destined for *Don Carlos*, had he not resign'd it for the Kingdom of the two *Sicilies*. And, indeed, we might reasonably expect much greater Concessions, either from *France* or *Spain*, for giving up the hereditary Dominions of the present Emperor, to gratify the Pride of the *Farnese* Family, who have no more Claim to Royalty than the younger Sons of other Princes. But though we do not much benefit ourselves by obtaining this Settlement for *Don Philip*, unless it be by the Confirmation of the *Affiento* Treaty for the Number of Years that it has been suspended, or by the Procuration of a Peace; neither of which may, perhaps, be so much to our real Advantage as is imagined; yet it should at least be thought, that the Emperor's Brother, Prince *Charles* of *Lorrain*, might obtain something in Recompence for having his Right taken away to those Territories, which, perhaps, otherwise he might expect some Day to acquire the Possession of.

If all the younger Brothers of his Catholick Majesty have a Right to wear Crowns, without being born to them, has not the second Son of our Sovereign a more than equal Claim to both from Birth and Merit? For what glorious Actions does the House of *Bourbon* merit more than the House of *Hanover*, that *Europe* is continually to be disturbed, in order to provide Settlements for the younger Sons of the former! Doth not his Royal High-

ness the Duke deserve a Sovereignty equal, or preferable, to *Don Philip*? And would it not be pursuing the real Interest of *Great Britain* to procure a certain * * * * for him and his Heirs? which Establishment, though a better Provision than *Parma*, might be made for him, without the occasioning the least Controversy; and *Great Britain* would be certain of infinitely availing herself, in that very Act, which would reward her glorious Hero and Defender, by taking the present Opportunity to free herself from that Burthen and Restraint upon her natural Strength, which she has long borne, and that has always been greatly to the Prejudice of the Glory of her maritime Arms, and true Interest, as not only that * * * * *, but any Dominions on the Continent, must necessarily be to *Great Britain*.

Our Negotiators, perhaps, were so much engaged in strengthening the Interest of the House of *Bourbon*, or in finding out proper Indemnifications for her Allies, that they had not time to think of making any such Provision for his Royal Highness, as we had the greatest Reason to expect, and he the greatest Merit to require. Neither could its being so essentially conducive to the Interest of their Country, it seems, be any Motive to these Gentlemen, for proposing such an Article to the Ministers at the Congress; yet it is to be hoped, that they will not forego the Opportunity, which they have now in their Hands, of paying that Deference to his Royal Highness's Desert, and regard to their Country's Security, Interest, and Welfare, by obtaining some such provisional Article in the subsequent general Treaty of Peace.

It is much to be feared, from a serious and just Consideration of this very Article, whether the Restitution of all the *French* Conquests in the *Netherlands*, are near a sufficient Equivalent to the House of *Austria*, for this Cedure and Partition of her *Italian* Dominions; and much less so, if the Rumour be true that is spread about concerning Article III. *That the French are to keep Possession of Farnese, for consenting to the Demolition of Dunkirk, as there stipulated.*

It is also very evident, that the Exchange here made of *Parma*, &c. for the Restitution of the *Netherlands*, is not equal, on account that the latter has rather been an expensive Burthen, than of any intrinsic Advantage to the House of *Austria*, as they could never garrison it, nor defend it, without the assistance of the *Dutch*. Whereas the Territories that belong to the Empress Queen of *Hungary* in *Italy*, are not only sufficiently able to support and defend themselves, but also contribute largely towards the Maintenance of the Imperial Dignity. So that the depriving the House of *Austria* thereof, and settling them on a younger Branch of the *Bourbon* Family, must be adding such a Weight to that Scale, as may endanger the overturning of the whole Balance of *Power*; especially, as the Dominions are so situated, as to form, with the Kingdoms of *France*, *Spain* and the *Two Sicilies*, (all in Possession of the *Bourbon* Race) a sort of *Cordon* with very little Interruption quite across the Continent, from the Streights of *Calais* to the inner Part of the *Mediterranean* Sea.

Art. V. *The Duke of Modena shall be re-established in all his Possessions, or at least shall receive a Satisfaction for whatever cannot be restored.*

Though this Dutchy was formerly dependent on the Empire, it is likely, by the foregoing Settlement of *Don Philip*, to come under a new Yoke. The Duke of *Modena* is related by Marriage to the King of *France*; and though he happened in the late Troubles to take part with the conquering Side, yet he could not avoid losing almost the whole *Modena*. All that I shall remark at present on this Article is, that unless a sufficient Proviso had been made, as here stipulated, to compensate that Prince for the Loss of his Territories, it would not have been consonant with the rest of the Treaty: wherein the greatest Care imaginable has been taken of the *French* Interest and Allies, and the least possible of those of *Great Britain*. So much Regard has our worthy M——rs and Neg——t——rs, both at home and abroad, to the Advantage of their Mother Country.

Art. VI. *The Republick of Genoa shall be re-established in the Enjoyment of all that she possessed in the Year 1740.*

By

By the Treaty of *Worms* in the Year 1743, we unwarily engaged, in conjunction with the Empress Queen, to dismember the *Genoese* Territories, by giving *Final* to the King of *Sardinia*: which ill-concerted Measure flung the Republick into the Arms of *France* and *Spain*. But as this Article is of a piece with the former, we may depend on the *Genoese* receiving ample Satisfaction in the Security of their Territory; nevertheless, as our good Ally the King of *Sardinia* has so far contributed towards the restoring the publick Tranquility, as to accede immediately to the Preliminary Treaty; and has also on this occasion, so generously and politely committed his Interests to the Care of our Sovereign, it is to be hoped that our noble Plenipotentiary at the Congress will take particular Care, that this steady Monarch, who has behaved with such Fidelity, Constancy, and Complaisance, on this occasion, shall receive adequate Satisfaction for whatever Measures shall be agreed upon in the general Treaty, contrary to what was stipulated in the Treaty of *Worms*; particularly on the Subject of *Final*, which, to prevent any future Rupture or Animosity, ought to be agreed to the Satisfaction of both the Parties concerned.

Art. VII. *The King of Sardinia shall remain in Possession of all that he had before, and of all that he acquired by the Cession in 1743.*

As this short Treaty, from the first Article to the last, seems to border very much on Contradictions, it must be referred to the Explanation of Time, or to the general Treaty, that is to be produced by these Preliminaries, how his *Sardinian* Majesty shall remain in Possession of all he had before, and of all that he acquired by the Treaty of *Worms*, without an Infringement of the 6th Article of this Treaty.

Art. VIII. *The King of Great Britain is comprised in these Articles in Quality of Elector of Hanover, and for his Electorate.*

Though *Hanover* only assisted the Empress Queen, and took Part in the War as an Auxiliary, yet that El-et—te seems to appear as a principal Power in contracting a Peace. And by the Tenour of this Article,

had the Arms of the Allies been so fortunate, as to make any Acquisitions on the Continent, we might expect some particular Indemnification, or some extent of Territory, would have been stipulated for this favourite El——te, to which *Great B——n* is unfortunately linked in such Connections, as has already apparently been, and must continue, prejudicial to her Interests as a Maritime Power.

For though by the Act of Settlement it is ordained, ' That this Nation shall not be obliged to engage in War ' for the Defence of any Territories that do not belong ' to the Crown of *Great Britain*, without the Consent of ' Parliament ;' yet our Enemies will never think themselves obliged to distinguish according to the Laws which we make among ourselves ; but will apprehend, that all those Territories which are under the Dominion of a King of *Great Britain*, are equally subject to their Hostilities.

This is an accidental Misfortune, to which *England* has always been liable, whenever her Monarchs had any Territories on the Continent ; as is evident from the History of our Kings of the *Norman Race*, who had considerable hereditary Possessions in *France* ; and even the Share of Property that our glorious Deliverer King *William III.* enjoyed on the Continent, though but small, nevertheless became after the Revolution, a great Incitement to our plunging into an expensive War. Wherefore, as the Case stands at present, it ought not in the least to alienate our Affections from the illustrious Family that reigns over us : but should only remind us to miss no Opportunity of getting rid of such burthensome Connexions in an advantageous, safe and honourable manner, by making them an Establishment for some of the younger Heirs to the Crown of *Great Britain* ; whereto for a small additional Expence, such Territories might be procured, as would raise a Monarchy sufficiently formidable to assist its Allies, and withstand its Enemies on most Occasions : and which no *Infant Prince* or *Don* in *Europe*, can better deserve to be honoured with, than our present brave Duke of *Cumberland*.

But the Necessity of making the El——r——te of *H——n——r* a Settlement for such younger Sons of *Britain*, as shall stand but small Chance of reigning in the hereditary

ditary Possessions of their Family, will be more apparent, to any whose Reflection shall give him to comprehend in what manner our Connexion with these distant Dominions, unfortunately precipitated us into our Share of the Land-War: which I shall endeavour to explain as concisely as possible, that we may be able, for the future, to understand better what Measures to take for the Advantage of old *England*, and in pursuit of her Interest only.

When, in the Year 1741, Admiral *Haddock* lay with an *English* Squadron in the *Mediterranean*, in order to prevent the *Spaniards* invading the *Italian* Dominions of the House of *Austria*, the *French* in Revenge marched an Army to the Frontiers of *H—r*, and obliged that *E—te* to sue for a Neutrality, with regard to the War then kindled in the Empire, which was granted. In a little time after, the *French* and *Spanish* Squadrons were, to our great Amazement, permitted to join, and convoy *Spanish* Troops into *Italy*, even in sight of our Admiral, who had then under his Command thirteen Ships of the Line and nine Frigates. This Attempt was executed with such a Degree of Security, our Fleet being much superior to the combined Squadrons of *France* and *Spain*, as created a most violent Suspicion at home, that the Invasion of the *Austrian* Dominions in *Italy*, was suffered purely in order to secure the *E—te* of *H—r* from the like Danger.

The Insult upon *H—r*, at a time when our *S—n* was recreating himself in those his delightful hereditary Dominions, was so highly resented, that the Year following a *British* Army was sent over into *Flanders*, and marched into *Germany*; though much against the Inclinations of the *Dutch*, who foresaw, that the taking so precipitate a Step would occasion the Land-War, which followed: and must at length inevitably compel them to take share in the Quarrel, soon as it became general. Hence we may perceive, that the Affront offered to this favourite *El—t—te* was more the Occasion of our entering into a War on the Continent, than any real Intent of succouring the Queen of *Hungary*; which could have been accomplished more effectually by hired Troops and Money, than by the Transportation of a *British* Army. Neither was the Concern that was at that time expressed, for the imaginary Danger which we took the

Dutch

Dutch to be exposed to, any real Motive for the Embarkation of the *British* Forces; as the *Dutch* had not then made any Armaments, nor entered into any hostile Measures for the Assistance of the House of *Austria*, and consequently could not have given the least Umbrage to *France* by their pacifick Disposition, or be under any just Apprehensions from that Power.

But to shew farther, that our unfortunate Connexion with Dominions on the Continent was the chief Occasion of our being drawn into a Land War; and that *France*, or any other foreign Power with whom we shall happen to quarrel, will always regard such Dominions to be equally subject to their Attacks as the *British* Territories; let us take a View of a Paragraph in the *French* King's Declaration of War; wherein it is specified, that 'the Convention of *Hanover* in *October* 1741, 'seemed at least to have assured his (most Christian) Majesty of the Discontinuance of such Excesses,' (as is therein before urged to have been committed by the C--t of *L--n*, contrary to the Interest of the *British* Nation.) 'The King of *England*, during the Stay he made in his 'German Dominions, appeared to listen to the complaints 'which were made him on this Occasion, and to perceive the Justice of them; he gave his royal Word, 'that he would cause them to cease, and he formally engaged himself not to disturb the Allies of the King in 'the Pursuit of their Rights: But scarce was he returned to *London*, before he forgot all his Promises; and as 'soon as he was certain that the King's Army had entirely quitted *Westphalia*, he caused it to be declared 'by his Ministers, that the Convention no longer subsisted, and that he looked upon himself as disengaged 'from it.'

These invidious Reflections of the *French* King were soon answered by our Sovereign, in his Majesty's Declaration of War, on the 29th of *March* 1744: wherein it is declared, 'That he cannot omit taking notice of 'the unjust Insinuations, contained in the *French* King's 'Declaration of War against him, with respect to the 'Convention made at *Hanover* in *October* 1741; that 'Convention, regarding his Electorate only, had no 'relation to his Conduct as King of *Great Britain*. The 'Allegations concerning it are groundless and injurious; 'his Proceedings in that respect having been perfectly 'consistent

• consistent with that good Faith which he had always
 • made the Rule of his Actions.’

Though these positive Assertions of his M——y do not admit of the least Doubt; yet nevertheless, the Words of the *French King's* Declaration evidently shew, that it was his mistaking our Sovereign's acting in a double Capacity, at the Time of concluding that Treaty of Neutrality, which his M——y entered into, not in the Character of King of *G—t B—n*, but *El—or* of *H—r*, which induced him to declare War against us.

And though perhaps the Interest of this Nation, and of that wealthy E——te, are not so much interwoven as what the Preliminaries give room to suspect; yet such is our Misfortune, we shall always be exposed to Danger, Perplexity and Disadvantage on that Account, unless every foreign Prince could be brought to make the same Distinction between the Dominions of *G—t B—n* and *H—r*, and consider their Independency in the same Light, as we do among ourselves. An Accident to be obviated by scarce any other Means than, as before mentioned, by settling the Succession to the E——te on some of the younger Branches of *Great Britain*.

Art. 9. *The King of France, and the States General will employ their good Offices to obtain from the King of Spain Satisfaction for a Sum of Money which his Britannick Majesty as Elector of Hanover, claims from his Catholick Majesty.*

It is very surprising, that such a strong Stipulation should be made, by this Article, for obtaining an unknown Sum of Money, claimed by the K—g as E—r of *H——r*, from the King of *Spain*, upon an unknown Account; and yet, there is not a word of Notice taken through these Preliminaries, of any Satisfaction to be made to *Great Britain*, for the well-known Sum of 95,000*l.* due to her from the Court of *Spain*; the Non-Payment of which in the Time stipulated, and the notorious Endeavour that was made by a late detestable Minister, at the Time of the Convention, to saddle the *South-Sea* Company with 68,000*l.* of that Debt occasioned in a great measure the breaking out of the War with *Spain*. As *Hanover* is an inland Country, and has no Commerce with *Spain*, causes it to be more surprising when, or by what

what means, that El—te acquired this Claim on the Spaniards. And we are likely ever to remain entirely ignorant of this Affair, as a *British* M——ry cannot well be called to account by the Legislature, for any articles in this, or any other Treaty, relating to the Interests or Claims of any foreign Territories. However, it is to be hoped that they will not be forgetful, in the general Treaty, to procure some Stipulations for this Demand of ours, whether they are to be moved to it from a Regard to the Nation's Interest, or their own Safety; as otherwise they may hereafter be highly accountable for such great Neglect.

Art 10. *The Affiento Treaty is confirmed for the number of Years during which it has remained suspended.*

The Renewal of the *Affiento* Treaty, for the Time that it has been superseded, will certainly be of Advantage to this Nation; and perhaps the only Advantage that they will acquire from these Preliminaries. But how our R—t H——ble Negotiator came to think of inserting this Article in our Favour, and forget making any Stipulation for obtaining the 95,000*l.* before mentioned, due to us from the same Power with whom the *Affiento* Treaty was contracted, is very astonishing; and must certainly shew such great forgetfulness, Ignorance, or Neglect, in our Pl——po——ry at *Aix*, as has been hitherto thought inconsistent with that Nobleman's Character. But perhaps Time may give us some Light into the Affair, if ever the old Gentleman should discover any secret Article of these Preliminaries, whereby our pecuniary Demand on the Crown of *Spain* should be given up, to obtain this Renewal of the *Affiento* Treaty, for the number of Years therein to come. However as this is the sole Article in the whole Treaty that our worthy Peace-Makers have stipulated in favour of old *England*, let us be content to enjoy the Benefit designed by it, without entering into too nice Disquisitions on the Terms whereby it was procured, or on those secret Articles whereby it may hereafter be annulled. And I must take this Occasion of heartily congratulating my Countrymen, on having the Fortune to obtain even in this small Article, so seemingly to their Advantage, out of twenty-three others, many of which are very remote from their true Interest.

Art.

Art. 11. *The fifth Article of the Treaty of London, dated August 2, 1718, relative to the Succession to the Throne of Great Britain, is renewed in these Preliminaries, in the same manner as if it were inserted Word for Word.*

As his Majesty's Title to the Crown of *Great Britain* has been solemnly acknowledged by every Power in *Europe*, so there seems little Occasion for such a formal Renewal of a Stipulation, which was inserted in the aforesaid Treaty of *London*; and, by virtue of the very first Article of these Preliminaries, is thoroughly renewed and established; it not having, to our knowledge, received the least Alteration, by any subsequent Treaty, with any foreign Power whatsoever: though there is much Rumour of some other Stipulations, said to be made in the secret Articles of this Treaty, concerning the securing the Possession of the *B———sh C———n* in his *M———s* Family.

Art. 12. *The Pretension of the Elector Palatine, for Satisfaction for the Losses he has sustained, shall be referred to a general Congress.*

Almost every little Prince and puny State on the Continent, that have been the least Sufferers in the War, appear to have had Interest enough to stipulate for their Indemnification in these Preliminaries, besides those that may expect to be compensated hereafter, by the general Treaty. Old *England* alone seems to stand without either Friend or Advocate: her Plenipotentiary, notwithstanding his boasted Abilities, having too much Concern on his Hands for the Interests of others, to have leisure to promote that of his Country. So that, instead of obtaining any Satisfaction or Indemnification for our Losses, we must be glad, it seems, to refund those few Acquisitions that we have made, in order to gratify the Expectations of others, that have been less Sufferers. *O my Country! how art thou fallen!*

Art. 13. *The King of Great Britain, the King of France, and the States-General, shall employ their good Offices for discussing in the Congress, the Differences that have arisen on the Subject of the great Mastership of the Golden Fleece.*

Any

Any one would imagine, by the superb Figure which this Article makes in the Preliminaries, that the adjusting of this Point was of infinite Concern to restoring of Peace to *Europe*, or settling the Balance of Power; yet, notwithstanding the magnificent Figure that the Great Mastership of the *Golden Fleece* makes here, it is less likely to disturb our future Tranquility, than any Dispute that may arise concerning the Grand Mastership of the Free Masons for the Year ensuing; unless *Great Britain* shall ever be brought to guaranty all the honorary Distinctions, as well as real Possessions, of her Neighbours.

Art. 14. *The Emperor shall be acknowledged in his Imperial Dignity, by all those Powers by whom no such Acknowledgment has hitherto been made.*

There needs no Observation on this Article, it being so exceeding necessary, that a Peace could not possibly be made without it. All the Advantage acquired is only a verbal Acknowledgment from some Powers, that could never be tied down, even by the most solemn Treaties that have hitherto been made, when it suited their Interests to break them.

Art. 15. *The Disputes with regard to the Territories of Hainault, and the Abbey of St. Hubert, &c. shall be referred to a general Congress.*

It is to be hoped, that *Great Britain* will have more Thought of securing her Commerce, and of obtaining some Satisfaction for her Expence and Losses, than to concern herself with settling these Territories, which signify so little to us into what Hands they fall.

Art. 16. *All Hostilities between the Powers at War shall cease at Land in the space of six Weeks, to be reckon'd from the Day of signing these Articles; and at Sea, in the time mentioned in an act signed at Paris, August 19, 1712.*

Query, If this Article has not been already broken by the *French*, by their taking our Shipping under Spanish Commissions, long after the Time here specified? But why should *Great Britain* strain at a Gnat, when she is obliged to swallow a Camel?

Art.

Art. 17. *The Restitutions, of which mention is made in the second Article, shall not take place till such time as the Parties interested have acceded to this Preliminary Convention.*

This Article seems almost unnecessary, as it is impossible to comprehend when else the Restitutions should be made, unless our Mediators have the Art of stripping the Bear's Skin before she is taken. And we find by the Protest entered by the Count *Kaunitz*, the Imperial Minister at *Aix*, against the Preliminaries, that the Empress Queen his Mistress expects to be restored to all those Possessions, which, by the Treaty of *Worms*, she ceded to the King of *Sardinia*; as she declares, that the same was agreed to by the contracting Parties, only to prevent any farther Settlement of the House of *Bourbon* in *Italy*: And it is neither reasonable nor just, as her Majesty says, that she should be held to Engagements so onerous to her, (meaning those Cessions of the Treaty of *Worms*) whilst, instead of procuring those Advantages that were stipulated in her Favour, they directly overthrew the very End and Basis of this Treaty, by the new Sacrifices that are required of her for *Don Philip's* Establishment.

Art. 18. *The Cessions and specifick Restitutions before mentioned, as well as the Establishment for Don Philip, shall be all carried into Execution at the same time.*

By the Tenour of this Article it is to be hoped, that we shall be at no farther Expence in establishing the Infant in his new Settlement; and that he will be contented to take Possession of his new *Italian* Dominions, without being attended with such a magnificent Fleet as we sent out to convoy *Don Carlos* into his Kingdom of the two *Sicilies*. But it ought to be stipulated, if any such Armament should hereafter become necessary, through the Obstinacy of any of the interested Powers, to put *Don Philip* in Possession of this Establishment, that the King of *France*, and the *States-General* shall be obliged to contribute their respective Quota's thereto. This would be an Article of greater Oeconomy for us, than any of the whole Treaty, if ever it should be necessary to put it in execution.

Art. 19. *All Parties interested in the present Convention, shall renew the Guaranty of the Pragmatick Sanction in its entire Extent, except only such Dominions as are already yielded, or are to be yielded, in virtue of these Preliminaries.*

The old Pragmatick Sanction, which was constituted to preserve the whole Dominions of the House of *Austria* inviolably to the Heirs of that Family, whether Male or Female, was formerly guarantied in the most solemn manner by almost every Potentate in *Europe*; yet, nevertheless, upon the Death of the Emperor *Charles VI.* several of them took an Opportunity to renounce their Guaranty; and the Contention seemed to be, who should possess themselves of most of those Dominions, which they had before engaged to secure to the Queen of *Hungary*, and her Heirs, whole and entire; even, although most of those Powers had before considerably availed themselves of this Guaranty, by obtaining large Concessions of the Emperor in their Favour: But

Perdurat non empty fides, nec pectora merces
Alligat. ——— Claudian.

What Stress is to be laid upon the new Guaranty, of the curtailed Dominions of the House of *Austria* to the Empress Queen, is uncertain; unless the Ravagers should be glutted with her Spoils.

Art. 20. *The Duchy of Silesia, and the County of Glatz, shall be guarantied to the King of Prussia by all the contracting Parties.*

It would, perhaps, have been much more for the Interest of old *England*, if our Plenipotentiary had stipulated some Security for the Payment of the *English* Loan on the Duchy of *Silesia*, &c. before the Guaranty of these Possessions: But as *Brandenburgh* and *H——r* lie contiguous, it might not, it is likely, be for the Interest of the latter to have this Guaranty refused on any Account. However, it is certain that some Notice should have been taken in these Articles, both of this Loan on *Silesia*, and of our Demand on *Spain*; especially, as the
unknown

unknown Sum that is claimed by *Hanover* from the latter, is so formally stipulated for in the 9th Article. Doubtless our noble N——r at *Aix* will not only gain the Thanks of both Houses of Parliament, on his Return, for his particular Care of the Interest of this Nation; but will merit a Purse from the Merchants, for the signal Services he has done them.

Art. 21. *All things that have passed in the present War shall be buried in general Oblivion, and every one shall be re-established in the full Possession of what he heretofore enjoyed.*

It is utterly impossible for the ablest Ministers in *Europe* thoroughly to enforce the Execution of this Article, or to obtain a general Oblivion for all the Cruelties, Damages, and Sacrifices, that have happened during the War, the greatest Sufferers by which are likely to receive the least Recompence. How the latter Part of this Article, whereby every one is to be re-established in the full Possession of what they heretofore enjoyed, is to be rendered consistent with those Cessions, Partitions and Divisions, that have been allotted by the foregoing, we are at a Loss to understand. Perhaps, the Authors of this Treaty were willing that we should have a Sufficiency of publick Articles, however inconsistent, to amuse and puzzle us, lest we should be too curious in prying into those that are secreted; as it is usual, when a Whale appears too near a Ship, to fling out an empty Cask for him to divert himself with; which affords the Mariners time to steer out of Danger.

Art. 22. *All the Princes any way interested in this Settlement, shall be invited to accede thereto as soon as possible.*

It has chanced to happen, that most of these Princes are become as weary of this War as the contracting Parties; which has brought them to an Accession to these Preliminaries: or else, I don't well perceive how it could be in the Power of the others to oblige them thereto, without entering into a fresh War; which might, perhaps, turn out more bloody, expensive and destructive than the last. But it is right to invite them

to give leave to do them a Prejudice, lest they should hereafter resent the Injury.

Art. 23. *In like manner all the Princes interested in this Convention, shall respectively guaranty the Execution thereof.*

This, doubtless they will be willing enough to do, so far as relates to their own Interest; but how they can take upon them to guaranty the Execution of the 1st, 4th, 5th, 6th, 7th, 19th, 20th, and 21st Articles, of which some are inconsistent in themselves, and the rest incongruent with each other, will be a difficult Point to determine.

Art. 24. *The Ratifications of these Preliminaries shall be exchanged within the Term of three Weeks, from the Day of their being sign'd.*

As this Treaty was accomplished so soon after the meeting of the Plenipotentiaries at *Aix*, no doubt but it was easy to promise the Execution of this Article: and tho' the Time limited for ratifying these Preliminaries was but short; nevertheless, many Evasions might occur to the Minds of the contracting Parties in a much less Space; for the Display of which in the open Light, we must wait till the Time shall come about, when, according to the Poet,

— *Qui fœdera rumpit*
Ditatur: qui servat, eget.

Claud. in *Eutrop.*

Having finished these particular Observations on every Article of this Preliminary Treaty, it will now be necessary to inquire, what Powers will avail themselves, and what will be prejudiced thereby. *France* is sure to benefit herself by the Tenour and Scope of the whole Treaty throughout; as the House of *Bourbon* will be rendered much more potent than ever, by the Establishment allotted to the Infant *Don Philip*, and the particular Restitutions and Immunities that are to be accorded to her Allies. The Commerce of *France* will be firmly re-established and invigorated, by the Restitution of *Cape Breton* and *Port Louis*, and those Acquisitions which
our

our Squadron was expected by this time to have made in the *East-Indies*; and her Glory will be established, by the Honour of having entirely vanquished the Efforts of the Allies for seven Years successively. *Spain* will advantage herself by procuring an ample Settlement for the *Infant* at our Expence, obtaining the Restitution of the Isle of *Ratan*, &c. in *America*; and by the opening of her Trade, and the Recovery of those immense Treasures that have been so many Years moulding in the *West-Indies*. The Duke of *Modena*, and the Republick of *Genoa*, will be compensated by the 5th and 6th Articles, as will the Elector *Palatine* by the 12th. *Hanover* is like to obtain some great pecuniary Emolument, by the Stipulation in the 9th; but as the Sum is secreted from our Knowledge, we shall at present suspend our Judgment thereon. The *Dutch* will benefit themselves considerably by the 2d, 17th, 18th, and 21st Articles; and will obtain some very real and fundamental Advantages by the Peace, in procuring the Restitution of their Territories, the Adjustment of their Barrier, and the re-establishment of their Commerce with the *European* Powers, upon a much more advantageous Footing than it was before the Commencement of the War. The Kings of *Prussia*, *Sardinia*, and *Don Philip*, will be certainly gratified to their Hearts Content by the 4th, 7th, 20th, 21st, and other Articles; and the Court of *Vienna* will be as much depressed by the whole Treaty: *Great Britain* will be drawn into a *Premunire*, and old *England* fairly caught in a Trap.

Though every one of my former Assertions will be obvious, at first Sight, to an intelligent and unprejudiced Reader: yet, as my last may seem to require some farther Explanation, I shall readily enter thereon. A *Premunire* then, according to the Laws of *England*, is such an Offence as incurs the Loss of the King's Protection, the Forfeiture of Lands, Goods and Chattels, and the Sufferance of perpetual Imprisonment; which is much to be feared, according to the Tenour of these Articles, must soon be the Case of *G——t B———n*, as the Power of the House of *Bourbon* will, by this Treaty, be raised to such a Pitch, that, in a little while, the King of *France* will be able to give Law to all *Europe*; especially, if the ensuing Treaty of Peace should remain in Force for about nine or ten Years: in which
Time

Time the *French* will be able to render their Marine very formidable, which, join'd to their Force on the Continent, must certainly engage most of the Potentates in *Europe* to seek Alliance with them for their own Safety. How then our K—g will be able to protect us from their Insults, Invasions and Depredations, whose Fleets will be so powerful, and their Armies so numerous, I am at a Loss to imagine; or which Way either the *Austrians*, *Dutch*, *Sardinians*, *Hanoverians*, or any other Power, shall afford us any Assistance, will be difficult to explain; as they must be glad at such a Juncture to embrace a Neutrality for themselves.

This necessarily must render our Lands, Goods and Chattles a Forfeiture or Prey to the Enemy, who will have Means sufficient in their Hands to possess themselves thereof, either by the frequent Invasions of their Troops, or the continual Depredations of their Men of War and Privateers. What in such a Case, must become of old *England*, supposing she could support herself in this deplorable Condition, but to be fairly caught in a Trap of her own making? wherein her Children must be shut up in perpetual Imprisonment.

The securing of the Time to come in the *Assiento* Treaty may indeed be objected, as being some Advantage in our Favour; but if, as I before observed, this small and uncertain Benefit is to be compensated, by releasing the Court of *Spain* from the Debt of 95,000*l.* old *England* has assuredly a very dear Bargain of it.

It is certain that we might have obtained equally as good Terms as any in these Preliminaries, before the Commencement of the last Campaign; and had we been contented to have acted a few Months longer upon the Defensive by Land, till the *Russians* and other Succours had joined us, our Superiority at Sea, the great Distress of the Enemy for want of Corn, and the Lowness of their Commerce, must soon have rendered us in a Condition to prescribe Terms to *France*, instead of accepting them as a Favour from her.

The Earl of *Oxford* was formerly censured for treating with *France* on such Terms as were judged to be inconsistent with the true I——t of this Nation; as will appear by the Articles of Impeachment against that Minister, which were founded upon his Conduct relating to the Treaty of *Utrecht*: wherein it is alledged, that
France

France was left too strong, and the Emperor too much depressed. And again, in the Motion for removing Sir *R. W.* from his Majesty's Presence and Councils, the Design thereof was publickly declared to be, the condemning in a Parliamentary Manner that System which he had for many Years upheld, and stamping on him a lasting Mark of Ignominy for such Conduct. Though the Weight of Numbers, rather than the Force of Argument, occasioned this Motion to miscarry in both Houses. But from Part of the 5th Paragraph of the Lords Protest, on that Occasion, we shall find what were those Measures which they designed to stigmatize so publickly. The Paragraph runs thus :
 ' Because we apprehend, that by the Conduct of Sir
 ' *R. W.* in relation to foreign Affairs, during the Course
 ' of his Administration, the Balance of Power in *Europe*
 ' has been destroyed, the House of *Bourbon* has been
 ' aggrandized in many Instances, particularly by the Addition of *Lorain* ; the House of *Austria* has been depressed by the Loss of the Duchy of *Milan*, and the
 ' whole Kingdom of *Naples* and *Sicily*, &c.' The Protest was signed by thirty-one Lords : But, thank Heavens ! there can be no Charge of this kind alledged against our present excellent Ministers ; for as we entered into the War, in order to rectify the foregoing Measures, by raising the House of *Austria* to its former Power, they have along pursued those Steps, that are directly contrary to what the E. of *Oxford* and Sir *R. W.* were censured for. How vastly would it have added to the Glory of their Administration, had they but ventured to have rejected the present Terms, and carried on the War another Twelvemonth ; especially, as our Superiority by Sea was an Over-balance to the *French* Power on the Continent ! But what can be said ? ——— *The Fowler spreadeth his Net, and the Prey is taken.*

F I N I S.



